



# Housing Act 1996

## 1996 CHAPTER 52

### PART IV

#### [<sup>F1</sup>UNIVERSAL CREDIT,] HOUSING BENEFIT AND RELATED MATTERS

#### **122 Functions of rent officers in connection with [<sup>F1</sup>universal credit,] housing benefit and rent allowance subsidy.**

- (1) The Secretary of State may by order require rent officers to carry out such functions as may be specified in the order in connection with [<sup>F2</sup>universal credit,] housing benefit and rent allowance subsidy.
- (2) Without prejudice to the generality of subsection (1), an order under this section may contain provision—
  - (a) enabling a prospective landlord to apply for a determination for the purposes of any application for housing benefit which may be made by a tenant of a dwelling which he proposes to let;
  - (b) as to the payment of a fee by the landlord for that determination;
  - (c) requiring the landlord to give a copy of the determination to the appropriate local authority; and
  - (d) enabling the appropriate local authority to seek a redetermination when a claim for housing benefit or rent allowance subsidy is made.

<sup>F3</sup>(3) .....

- (4) In relation to rent allowance subsidy, the Secretary of State may by order under section 140B of the Social Security Administration Act 1992—
  - (a) provide for any calculation under subsection (2) of that section to be made,
  - (b) specify any additions and deductions as are referred to in [<sup>F4</sup>subsection (4) or (5) of that section] , and
  - (c) exercise his discretion as to what is unreasonable for the purposes of subsection [<sup>F5</sup>(5)(b)] of that section,

by reference to determinations made by rent officers in exercise of functions conferred on them under this section.

---

*Changes to legislation: Housing Act 1996, Section 122 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (5) The Secretary of State may by any such [<sup>F6</sup>order as is mentioned in subsection (4)] require a local authority in any prescribed case—
- (a) to apply to a rent officer for a determination to be made in pursuance of the functions conferred on them under this section, and
  - (b) to do so within such time as may be specified in the order <sup>F7</sup>....
- (6) An order under this section—
- (a) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) may make different provision for different cases or classes of case and for different areas; and
  - (c) may contain such transitional, incidental and supplementary provisions as appear to the Secretary of State to be desirable.
- (7) In this section “housing benefit” and “rent allowance subsidy” have the same meaning as in Part VIII of the <sup>M1</sup>Social Security Administration Act 1992.

#### Textual Amendments

- F1** Words in s. 122 heading inserted (25.2.2013) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 2 para. 36](#); S.I. 2013/358, art. 2(2), Sch. 2 para. 40
- F2** Words in s. 122(1) inserted (25.2.2013) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 2 para. 36](#); S.I. 2013/358, art. 2(2), Sch. 2 para. 40
- F3** S. 122(3) repealed (7.4.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(1\), Sch. 8](#); S.I. 2007/2872, art. 2(1)(c) (with arts. 3-5)
- F4** Words in s. 122(4)(b) substituted (retrospective to 18.9.2003) by [Local Government Act 2003 \(c. 26\), s. 128\(1\)\(b\), Sch. 7 para. 60\(1\)\(a\)](#)
- F5** Word in s. 122(4)(c) substituted (retrospective to 18.9.2003) by [Local Government Act 2003 \(c. 26\), s. 128\(1\)\(b\), Sch. 7 para. 60\(1\)\(b\)](#)
- F6** Words in s. 122(5) substituted (7.4.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(2\), Sch. 5 para. 12](#); S.I. 2007/2872, art. 2(1)(d) (with arts. 3-5)
- F7** Words in s. 122(5)(b) repealed (7.4.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(1\), Sch. 8](#); S.I. 2007/2872, art. 2(1)(c) (with arts. 3-5)

#### Marginal Citations

- M1** 1992 c. 5.

**Changes to legislation:**

Housing Act 1996, Section 122 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 122 heading words inserted by [2012 c. 5 Sch. 4 para. 13\(2\)](#)
- s. 122 heading words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 122(1) words inserted by [2012 c. 5 Sch. 4 para. 13\(3\)](#)
- s. 122(1) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 122(2)-(7) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by [S.I. 2022/1166](#) by [S.I. 2022/1172](#) Regulations

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)